

US EPA ARCHIVE DOCUMENT

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January 8, 2007

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Diana Engeman
U. S. Environmental Protection Agency
Region VII
901 N. 5th Street
Kansas City, KS 66101

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JAN 11 2007
SUPERFUND DIVISION

30019382



Superfund

Re: Response to Petition for Technical Impracticability Waiver
People's Natural Gas Superfund Site
Dubuque, Iowa

Dear Ms. Engeman:

Our firm represents the City of Dubuque with regard to the Peoples Natural Gas Superfund Site in Dubuque. The City has reviewed the Petition for Technical Impracticability Waiver dated December 1, 2006, and offers the following comments and/or questions:

1. The petition refers to use restrictions for the property. The property is already subject to certain use restrictions required by and approved by EPA. Should the petition be granted, will additional use restrictions be required? To the City's best knowledge, no additional restrictions are necessary to protect human health and the environment. While the City's uppermost concern is protecting its citizens, the City must also guard and protect the value of public assets such as this site. As you know, the City is planning to lease this property in the future and the nature of any restrictions on the property may limit the marketability of the property. Thus it is important to the City to know if additional restrictions are contemplated by EPA.
2. If EPA grants the petition, the City understands that MidAmerican Energy Company ("MidAmerican") intends to continue monitoring for contaminants of concern. It is the City's further belief and understanding that in the future, should additional work be necessary, MidAmerican would be expected to proceed with such work under the current

January 9, 2007

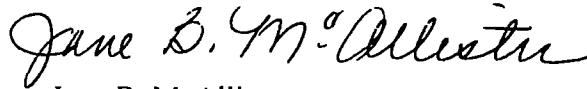
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orders and agreements between potentially responsible parties, and that no additional or new liability will attach to the City as a consequence of the petition being granted.

We appreciate your consideration of these questions and will look forward to hearing from you regarding the same.

Very truly yours,

AHLERS & COONEY, P.C.

A handwritten signature in cursive script, reading "Jane B. McAllister".

Jane B. McAllister

JBM:dlj

cc: Peg Roy, MidAmerican Energy
Barry Lindahl, City of Dubuque